

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

MARY E. MERKEL,

Defendants.

4:13CR3122

MEMORANDUM AND ORDER

Defendant Mary Merkel has moved to continue the pretrial motion deadline, (filing no. 26), because the defendant is awaiting additional discovery from the government and needs to review that discovery before deciding if pretrial motions should be filed.. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant Merkel's motion to continue, (filing no. 26), is granted.
- 2) **As to all defendants**, pretrial motions and briefs shall be filed on or before February 20, 2014.
- 3) **As to all defendants**, trial of this case remains scheduled to commence on April 14, 2014.
- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendants in a speedy trial. Accordingly, **as to all defendants**, the additional time arising as a result of the granting of the motion, the time between today's date and February 20, 2014, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7).

January 22, 2014.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge